

### REMARKS

The present application has been reviewed in light of the Office Action dated November 18, 2009. Claims 69-91 are presented for examination, of which Claims 69, 79, and 89, are in independent form. Claims 92-94 have been canceled, without prejudice or disclaimer of the subject matter presented therein. Claims 69, 79, and 89 have been amended to define aspects of Applicants' invention more clearly. Favorable consideration is requested.

The Office Action states that Claims 69-71, 73, 75-81, 83, and 85-89 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,552,813 (*Yacoub*) in view of U.S. Patent No. 6,337,745 (*Aiello, Jr. et al.*); that Claims 72, 82, 90-94 are rejected under § 103(a) as being unpatentable over *Yacoub* in view of *Aiello, Jr. et al.*, and further in view of European Patent Application Publication No. 0 529 692 (*Murakami*); and that Claims 74 and 84 are rejected under § 103(a) as being unpatentable over *Yacoub* in view of *Aiello, Jr. et al.*, and further in view of U.S. Patent No. 5,978,560 (*Tan et al.*). Cancellation of Claims 92-94 renders their rejections moot. For at least the following reasons, Applicants submit that independent Claims 69, 79, and 89, together with the claims dependent therefrom, are patentably distinct from the cited prior art.

The aspect of the present invention set forth in Claim 69 is directed to an information processing apparatus for controlling, via a communication medium, a peripheral that processes a job, which executes a predetermined service. The information processing apparatus includes an obtaining unit, an issuance unit, and an inhibition unit. The obtaining unit obtains, via the communication medium, function information that includes information indicating plural setting values executable by the peripheral. The issuance unit issues a job provided with plural setting values including a value of a first attribute and a value of a second attribute different from

the first attribute. If at least one of the plural setting values of the job is determined not to satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit, the inhibition unit inhibits issuance of the job by the issuance unit.

Notably, based on a first determination of whether both of the values of the first and second attributes satisfy the predetermined condition and a second determination of whether either of the values of the first and second attributes satisfies the predetermined condition, if at least one of the plural setting values of the job is determined to satisfy the predetermined condition, the inhibition unit allows issuance of the job by the issuance unit.

*Yacoub* is understood to relate to a virtual printer for print jobs printed on networked printers (*see* Abstract). *Yacoub* discusses that options for speed and quality can be presented for selection by a user, and that a server can find appropriate printers for each of these speed and quality settings, without the user making a selection (*see* col. 5, lines 22-27). *Yacoub* also discusses that, if a fast job is preferred and also a color job is preferred, only printers that are fast and that can print in color are determined as appropriate printers (*see* col. 5, lines 27-30).

Applicants agree with the conclusion in the Office Action that *Yacoub* fails to disclose an issuance unit adapted to issue a job provided with plural setting values including first and second attribute values (*see* Office Action, page 4). Accordingly, nothing in *Yacoub* is believed to teach or suggest that the server determines whether both a first attribute value and a second attribute value included in a print job satisfy a predetermined condition and that the server determines whether either of the first and second attribute values satisfies the predetermined condition. Moreover, nothing in *Yacoub* is believed to teach or suggest that the server allows issuance of the print job based on such determinations.

*Aiello, Jr. et al.* is understood to relate to a method for printing in which print jobs are routed automatically from source computers to printers (*see Abstract*). *Aiello, Jr. et al.* discusses that a print job can be received at a print server coupled to a Graphical User Interface (GUI) that includes a list of received print jobs (*see col. 2, lines 26-29*). The print job can be selected from the list of received print jobs, a determination can be made to determine if the printer coupled to the print server has a set-up compatible with a set-up of the selected print job, and the selected print job can be sent from the print server to an output manager connected to the printer (*see col. 2, lines 29-34*). Selecting of the print job can include dragging-and-dropping the print job from the list of received print jobs onto a printer icon (*see col. 2, lines 34-36*). The dragging-and-dropping of the print job can be prevented, if the set-up of the printer is determined to be incompatible with the set-up of the selected print job (*see col. 2, lines 36-39*).

*Aiello, Jr. et al.* also discusses that a Queue Manager can access header information a print job to determine which print resources are required to print the job (*see col. 5, lines 32-35*). The Queue Manager can access a resource manager to determine whether the required print resources are available (*see col. 5, lines 35-37*). If a required print resource is not available, the Queue Manager notifies the operator through the GUI (*see col. 5, lines 40 and 41*).

As best understood by Applicants, if the Queue Manager determines that any of the print resource required for the selected print job is not available, the Queue Manager instructs the GUI not to permit the dragging-and-dropping of the selected print job from the list of received print jobs onto the printer icon print of the selected printer. Nothing in *Aiello, Jr. et al.* is believed to teach or suggest that the Queue Manager instructs the GUI to permit the dragging-and-dropping of the selected print job from the list of received print jobs onto the printer icon print of the selected printer, if at least one of the print resource required for the

selected print job is determined to satisfy a predetermined condition. Moreover, nothing in *Aiello, Jr. et al.* is believed to teach or suggest that the Queue Manager makes a first determination of whether both of two print resource required for the selected print job satisfy a predetermined condition and a second determination of whether either of the two print resource required for the selected print job satisfies the predetermined condition.

In summary, Applicants submit that a combination of *Yacoub* and *Aiello, Jr. et al.*, assuming such combination would even be permissible, would fail to teach or suggest an information processing apparatus that includes an issuance unit and “an inhibition unit adapted to, if at least one of the plural setting values of the job is determined not to satisfy a predetermined condition related to the plural setting values indicated by the function information obtained by the obtaining unit, inhibit issuance of the job by the issuance unit, wherein the inhibition unit allows issuance of the job by the issuance unit, if at least one of the plural setting values of the job is determined to satisfy the predetermined condition, based on a first determination of whether both of the values of the first and second attributes satisfy the predetermined condition and a second determination of whether either of the values of the first and second attributes satisfies the predetermined condition,” as recited in Claim 69. Accordingly, Applicants submit that Claim 69 is patentable over *Yacoub* and *Aiello, Jr. et al.*, whether considered separately or in combination, and respectfully request withdrawal of the rejection of Claim 69 under 35 U.S.C. § 103(a).

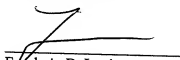
Independent Claims 79 and 89 include features sufficiently similar to those of Claim 69 that these claims are believed to be patentable over *Yacoub* and *Aiello, Jr. et al.*, whether considered separately or in combination, for at least the reasons discussed above. The rejected claims in the present application depend from one or another of independent Claims 69,

79, and 89 and are submitted to be patentable over the prior art relied upon in the Office Action for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, however, individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable consideration and an early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should be directed to our address listed below.

Respectfully submitted,



Frank A. DeLucia  
Attorney for Applicants  
Registration No. 42,476

FITZPATRICK, CELLA, HARPER & SCINTO  
1290 Avenue of the Americas  
New York, New York 10104-3800  
Facsimile: (212) 218-2200

FCHS\_WS 4578090v1